

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	EL GAMAL <i>et al.</i>	Examiner:	Pham, Hoa Q.
Serial No.:	10/663,935	Group Art Unit:	2886
Filed:	September 16, 2003	Docket No.:	STFD.039PA (S01-276)
Allowed:	July 1, 2009	Confirmation No.:	2325
Title:	BIOLOGICAL ANALYSIS ARRANGEMENT AND APPROACH THEREFOR		

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
c/o Technology Center 2800
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 40581

Dear Sir:

The Examiner's statement for allowance could be construed to imply that the claimed invention was allowed because the references of record did not disclose certain aspects of the claimed invention. The characterized aspects, however, if indeed could be found in the prior art, would not render the claimed invention invalid under §102 because the claimed invention includes a number of other limitations. With respect to §103, the rigors of establishing a prima facie case of obviousness include not only showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art or that there would be motivation to make the combination. The reasons provided do not appear to be necessarily inconsistent herewith.

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Unless Applicant hears otherwise, Applicant's comments herein are, as intended,
clarifying in a manner consistent with the law.

Respectfully submitted,

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August 6, 2009

By: 

Robert J. Crawford
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